

Message Text

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PAGE 01 STATE 121019
ORIGIN L-03

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ARA/MGT/PM:PATERRY
ARA/MGT:GJKRIEGER

-----260542Z 049019 /14

R 252129Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY TEGUCIGALPA

UNCLAS STATE 121019

E.O. 11652: N/A

TAGS: ACLM, AFSP

SUBJECT: TORT CLAIM OF HECTOR RUDOLFO NUFIO G.

REF: A. TEGUCIGALPA 2344
B. STATE 109662
C. 76 STATE 230245

1. AS STATED IN REF B LEGAL ADVISER'S OFFICE HAS CLAIM UNDER CONSIDERATION. BECAUSE OF MAGNITUDE OF CLAIM (US DOLLARS 230,000 PLUS), COMPLEX LEGAL ISSUES, AND PROBLEMS REGARDING AMOUNT OF DAMAGES DEPARTMENT UNABLE TO PREDICT DATE STUDY OF CLAIM WILL BE COMPLETED. IN THIS CONNECTION EMBASSY ATTENTION INVITED TO FACT THAT DETAILED EVIDENCE REQUESTED FROM CLAIMANT BY DEPARTMENT IN SEPTEMBER 1976 NOT RECEIVED UNTIL FEBRUARY 1977. IN CIRCUMSTANCES, ALL PARTIES CONCERNED SHOULD EXERCISE PATIENCE. THE FEDERAL TORT CLAIMS ACT DOES NOT REQUIRE DISPOSITION WITHIN SIX MONTH PERIOD OF CLAIMS ARISING ABROAD. STATUTORY PERIOD APPLIES ONLY TO CLAIMS ARISING WITHIN US.

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2. SIMILAR TORT CLAIMS OCCURRING WITHIN THE US RARELY, IF EVER, SETTLED WITHIN TWO YEARS FROM DATE OF ACCIDENT. SUCH CLAIMS GENERALLY REQUIRE ADMINISTRATIVE AND JUDICIAL DETERMINATION AND TAKE A MINIMUM OF FOUR TO FIVE YEARS. ALL AWARDS ON CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT

WHICH EXCEED 25,000 DOLS. MUST BE APPROVED BY THE ATTORNEY
GENERAL OF THE UNITED STATES BEFORE PAYMENT CAN BE MADE.

3. EMBASSY WILL BE FURNISHED A PROGRESS REPORT ABOUT THE
MATTER WITHIN 60 DAYS. VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
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Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: FAKWATEK:LAE
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Handling Restrictions: n/a
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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TAGS: ACLM, AFSP
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